

THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

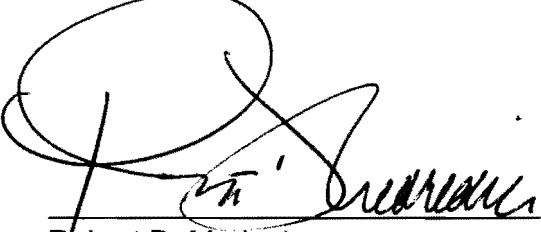
SCOTT DAVIS and KEN KUGLER, :  
:   
Plaintiffs, :  
v. : 3:12-CV-1660  
: (JUDGE MARIANI)  
ALLEN FOX, et al., :  
:   
Defendants. :  
:

ORDER

AND NOW, THIS 3rd DAY OF MARCH 2015, upon consideration of Defendants' Motion for Summary Judgment (Doc. 80), and all accompanying briefs, **IT IS HEREBY ORDERED THAT:**

1. Defendants' Motion for Summary Judgment (Doc. 80) is **GRANTED IN PART** and **DENIED IN PART**.
  - a. With regard to Counts I and II, Defendants' Motion is **DENIED**.
  - b. With regard to Count III, Defendants' Motion is **GRANTED IN PART** with respect to Defendant Wilkes only. Defendants' Motion is **DENIED IN PART** with respect to Defendant Fox. Plaintiffs' conspiracy claim against Defendant Fox remains.
2. A telephone scheduling conference will be held on **THURSDAY, MARCH 12, 2015 at 10:00 AM**. Plaintiffs' Counsel is responsible for arranging the call to (570) 207-

5750, and all parties should be ready to proceed before the undersigned is contacted.



\_\_\_\_\_  
Robert D. Mariani  
United States District Judge